

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL ACTION NO. 3:01-CR-00193-GCM**

UNITED STATES OF AMERICA

v.

CALVIN EARL BUNCH,

Defendants.

ORDER

THIS MATTER comes before the Court on the Motion to Seal (ECF No. 90) by Defendant Calvin Earl Bunch. Bunch filed a letter under seal in support of his motion for compassionate release. *See* ECF No. 91. The letter contains highly sensitive information related to Bunch's involvement in other criminal investigations and prosecutions. Bunch asks that this letter remain under seal indefinitely.¹ The United States did not file a response, and no third party has opposed the motion.

In resolving a motion to seal, the Court must (1) give the public notice of the request to seal and a reasonable opportunity to challenge the request; (2) consider less drastic alternatives to sealing; and (3) state the reasons for sealing, specific supporting findings, and the reasons for rejecting alternatives to sealing. *Rushford v. New Yorker Magazine, Inc.*, 846 F.2d 249, 252–53 (4th Cir. 1988).

Here, the public has had notice of the motion to seal since March 2, 2022. That period is more than sufficient for interested third parties to challenge the request, and no one has done so. The Court has considered less drastic alternatives to sealing. Sealing is the appropriate course of action because disclosure of the letter could potentially jeopardize Bunch's life. The Court notes that Bunch is

¹ Bunch did not request that the entire case be sealed. Because some of the contents of the letter were discussed in open court, the Court is willing to consider sealing the entire case upon motion of either party.

currently in protective custody because of the conduct detailed in the sealed letter. This fact indicates that the government assesses the potential threat to Bunch as credible and ongoing. Therefore, the letter must be sealed indefinitely.

IT IS THEREFORE ORDERED that the Motion to Seal (ECF No. 90) is **GRANTED**. The letter filed under seal (ECF No. 91) shall **REMAIN SEALED INDEFINITELY**.

SO ORDERED.

Signed: April 25, 2022



Graham C. Mullen
United States District Judge



SEALED DOCUMENT with access to All Parties/Defendants.